IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 53 OF 2003.

State of Maharashtra. ... Appellant.

Versus.

Damodhar Namdeo Wabale & others. ... Respondents.

Shri S.V.More, A.P.P. for the Appellant.

CORAM : ABHAY S.OKA, J.

DATED : 12th October, 2006.

P.C.:

1. Heard the learned A.P.P. on the prayer for grant of leave. After having heard the learned A.P.P., I find that the acquittal of the Respondents for offence under the Prevention of Food Adulteration Act, 1954 is justified. The learned Judge has recorded a finding that it was not established that the Accused Nos.2 and 3 received information of filing of the complaint and a copy of P.A. report and therefore, they have lost their valuable right under section 13(2) of the said Act of 1954.

2. The view taken by the learned trial Judge is a possible view. No case is made out for grant of leave.

Appeal is dismissed.

Judge.